

Regarding the rejection of Claim 1: Applicant respectfully avers that the Examiner's assessment of Fujimori is not entirely correct. The Examiner has stated that the engagement groove 52c of Fujimori is equivalent to Applicant's stress relief recess. However, please notice that the frame plate 52 (Fig. 5) of Fujimori attaches to the intermediate frame 55 by means of the engagement protrusions 53c, which fit over engagement claws 62c (enumerated in Fig. 8) in the notch 52c. Note that the engagement holes 52d fit over the engagement protrusions 55d for alignment only, and are not a means for fastening the frame plates 52 and 55 together (See the paragraph beginning at line 56, column 7 of Fujimori). Please notice that, since the engagement holes 52d align with the engagement protrusions 55d, they cannot also align with the screws 56, as shown in Fig. 5 of Fujimori. The screws 56 fasten the intermediate frame 55 to the fixation frame plate 54 (Fujimori '485, column 8, lines 23-29). Therefore, according to Fujimori, the only means of attachment of the frame plate 52 to the intermediate frame 55 is at the engagement groove 52c. Of course, the engagement groove 52c cannot provide stress relief between the point of attachment and the remainder of the frame when the point of attachment is, in fact, at the engagement groove 52c itself.

Regarding the rejection of Claims 2 and 3: As noted above, the holes 52d of Fujimori are not screw holes, nor any other means of securing the frame plate 52. If, as the Examiner has stated, the Examiner is considering the frame plate 52 of Fujimori to be equivalent to Applicant's mounting border, then the assertion that "...the mounting border includes at least two mounting screw aperture (52d)" is incorrect.

Regarding the rejection of Claim 8: Claim 8 should be allowable at least as a further limitation on Claim 1.

Regarding the rejection of Claims 9, 10, 12, 19 and 22: Applicant refers to the above discussion regarding the fact that the hole (52d) of Fujimori is, in fact, a mounting screw hole. Further, in any event, these Claims should be allowable as further limitations on Claim 1.

Regarding the rejection of Claim 11: Applicant again respectfully avers that the engagement groove 52c of Fujimori cannot be a stress relief recess (for the reasons discussed above), and further, that neither are the holes 52d of Fujimori mounting screw holes.

Regarding the rejection of Claims 13 and 17: Applicant again respectfully avers that the engagement groove 52c of Fujimori cannot be a stress relief recess (for the reasons discussed above), and further, that neither are the holes 52d of Fujimori mounting screw holes.

Regarding the rejection of claims 14 and 23: Applicant again respectfully avers that the engagement groove 52c of Fujimori cannot be a stress relief recess (for the reasons discussed above), and further, that neither are the holes 52d of Fujimori mounting screw holes.

Regarding the rejection of Claim 16. Applicant again respectfully avers that the engagement groove 52c of Fujimori cannot be a stress relief recess (for the reasons discussed above), and further, that neither are the holes 52d of Fujimori mounting screw holes.

For the above reasons Applicants request reconsideration and withdrawal of the rejections under 35 U.S.C. § 102.

Rejections Under 35 U.S.C. § 103

Claims 4-7, 15, 18, 20, and 21 are rejected under 35 U.S.C. § 103 as being unpatentable over Fujimori in view of Miles et al. (US Pat. No. 5,515,188).

In order to establish a *prima facie* case of obviousness, the prior art reference (or references when combined) must teach or suggest all of the claim limitations. M.P.E.P. §2143.

M.P.E.P. §2143 sets forth the requirements of a *prima facie* case of obviousness:

To establish a *prima facie* case of obviousness, three basic criteria must be met. First, there must be some suggestion or motivation, either in the references themselves or in the knowledge generally available to one of ordinary skill in the art, to modify the reference or to combine reference teachings. Second, there must be a reasonable expectation of success. Finally, the prior art reference (or references when combined) must teach or suggest all the claim limitations.

Claims 4-7, 15, 18, 20, and 21 depend either directly or indirectly from one of Claims 1, 12 or 19, and therefore include all the limitations of their respective base claims. The rejections under 35 U.S.C. § 103 all rely on Fujimori as applied to the respective base claims. As indicated above, Fujimori does not teach or suggest all of the limitations of the base claims. Further, there is no assertion that Miles teaches or suggest all of the limitations of the base claims. Because Fujimori and Miles (when combined) do not teach or suggest all of the limitations of any of Claims 4-7, 15, 18, 20 or 21, no *prima facie* case of obviousness is established with respect to any of these claims.

For the above reasons Applicants request reconsideration and withdrawal of the rejections under 35 U.S.C. § 103.

Double Patenting Rejection:

Claims 1 through 23 are rejected under the judicially created doctrine of obviousness-type double patenting as being unpatentable over claims 1-19 of U.S. Patent No. 6,307,603. The Examiner writes:

Although the conflicting claims are not identical, they are not patentably distinct from each other because the claims of the instant application are in fact broader than the patented claims.

Applicant respectfully traverses, and wishes to point out a distinction which Applicant believes distinguishes the presently claimed invention over the cited '603 Patent: The stress relief feature disclosed in the '603 Patent is an "aperture" in Claim 1 and a "slot" in Claim 13 (the only two independent Claims of the '603 Patent). One of the improvements of the present invention is the use of a "recess" instead of an "aperture." Applicant respectfully avers that this distinguishes the Claims of the '603 patent from the presently claimed invention.

For the above reasons, Applicant respectfully requests that the Double Patenting rejection be withdrawn.

Conclusion:

For the foregoing reasons, Applicants believe Claims 1 through 23, inclusive, are in condition for allowance. Should the Examiner undertake any action other than allowance of Claims 1 through 23, or if the Examiner has any questions or suggestions for expediting the prosecution of this application, the Examiner is requested to contact Applicants' attorney at (269) 279-8820.

Respectfully submitted,

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CERTIFICATE OF MAILING (37 CFR 1.8(A))

I hereby certify that this paper (along with any referred to as being attached or enclosed) is being deposited with the United States Postal Service on the date shown below with sufficient postage as first class mail in an envelope addressed to: Assistant Commissioner for Patents, Washington, DC 20231.

Date: 1/23/03

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